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Atty. Dkt. No. 069952-0201

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: LUDLOW et al.

Title: METHOD OF OBTAINING
VIABLE HUMAN CELLS,
INCLUDING HEPATIC
STEM/PROGENITOR CELLS

Appl. No.: 10/620,433

Filing Date: July 17, 2003

Examiner: Joseph T. Woitach

Art Unit: 1632

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the restriction requirement set forth in the Office Action mailed March 15, 2006, Applicants hereby provisionally elect Group I, Claims 1-28, for examination, with traverse.

The Examiner has required restriction to one of nine groups of claims as set forth on pages 2-3 of the Office Action and for the reasons set forth on pages 3-4. Applicants respectfully traverse. Applicants traversal is based on the grounds that the Office has not shown that there would be a serious burden to examine the claims 1-87 together. As set forth in MPEP § 803, there must be a serious burden on the Examiner if restriction is required. Because a burden must be shown, and because the Office has not demonstrated such a burden, Applicants respectfully request that the Restriction Requirement be withdrawn.

Applicants undersigned attorney may be reached in our Washington, DC office by telephone at (202) 672-5300. All future correspondence should be directed to our below-listed address.

Respectfully submitted,

Date: April 14, 2006

FOLEY & LARDNER LLP
Customer Number: 22428
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By

A handwritten signature in black ink, appearing to read "G. Villacorta", written over a horizontal line.

Gilberto M. Villacorta, PH.D.
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